

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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AUG 26 2003

IN RE: PHENYLPROPANOLAMINE (PPA)
PRODUCTS LIABILITY LITIGATION

MDL Docket No. 14087

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

This document relates to:

Barbara Adams, et al. v. Bayer Corp., et al.
Civil Action No. 02-CV-2375

Renita Rowe, et al. v. Bayer Corp., et al.
Civil Action No. 02-CV-1833

~~[PROPOSED]~~ ORDER OF DISMISSAL
WITH PREJUDICE

03-1990

THIS MATTER having come before the Court on Defendants Schering-Plough Corporation ("SPC") and Schering-Plough HealthCare Products, Inc.'s ("SPHCP") Motion for Dismissal with Prejudice from the above-entitled actions pursuant to Case Management Orders Nos. 13 and 13A. Having the statement of counsel of records for Defendants that the Plaintiff Fact Sheet, if any, and/or the Affirmation submitted pursuant to Case Management Order No. 13, contain no allegations of ingestion of the Defendants' products, and the Plaintiffs having submitted no opposition within 10 days, the Court finds that the plaintiffs listed on Attachment A hereto have not alleged the ingestion of a PPA-containing product manufactured and/or distributed by Defendants SPC and SPHCP

IT IS HEREBY ORDERED that all remaining claims in the actions asserted by Plaintiffs listed on Attachment A hereto, and by anyone suing by, through or under them, including, but not limited to, any loss of consortium claims, against Defendants SPC and SPHCP, only, are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41. The parties shall bear their own attorney's fees and costs.

03-CV-01990-ORD

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2 DATED this 14 day of OCTOBER, 2003.
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4 *Barbara Jacobs Rothstein*

5 HON. BARBARA J. ROTHSTEIN, U.S.D.J.
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7 Presented by:

8 SILLS CUMMIS RADIN TISCHMAN

9 EPSTEIN & GROSS, P.A.

10 Attorneys for Schering-Plough Corporation
11 and Schering-Plough HealthCare Products, Inc.
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14 SHAUNA C. BRYCE (SB 4172)
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ATTACHMENT A

MDL DOCKET NO.	DISTRITCT CT. CAUSE NO.	CASE NAME	PLAINTIFF NAME
02-2375	CV-02-1195	Adams	Arpog, Kitty o/b/o Travis Hoover
02-2375	CV-02-1195	Adams	Morris, Sister Annie o/b/o Larry D. Smith
02-1857	02-CV-1833	Rowe	Moseley, Ann